

RESPONSE TO PAPER NO. 22
U.S. Application Serial No. 09/100,129
Attorney Docket No. 23452-034

Status of the Claims

Claims 1-3, 8-9, 15-17, 19, 21-23, and 26-33 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,745,360 to Leone (Leone) in view of U.S. Patent No. 5,987,422 to Buzsaki (Buzsaki). Claims 4-7, 11-14, 18, 20, and 24-25 stand rejected under 35 U.S. §103(a) as allegedly being unpatentable over Leone in view of Buzsaki as applied to Claims 1-3, 8-9, 15-17, 19, 21-23, and 26-33 and further in view of U.S. Patent No. 5,627,764 to Schutzman, *et al.* (Schutzman).

Rejection of Independent Claims 1, 8, 15, and 21

Independent claims 1, 8, 15, and 21 stand rejected as allegedly being unpatentable over Leone in view of Buzsaki. Applicants respectfully traverse. Buzsaki's patent application has an effective U.S. filing date of May 29, 1997. Applicants have filed herewith Declarations of Paul Haverstock, Miguel Estrada, and Julio Estrada, stating that Applicants conceived of, reduced to practice, and collectively completed the above-identified patent application prior to May 29, 1997. The Declarations also state facts that demonstrate Applicants' completion of the invention prior to May 29, 1997. Applicants submit herewith Exhibits A and B that support Applicants' Declarations. Therefore, Buzsaki may not be used to reject Applicants' claimed invention. Accordingly, Applicants respectfully request that these rejections be withdrawn.

Rejection of Dependent Claims 2-7, 9-14, 16-20, and 22-33

Dependent claims 2-7, 9-14, 16-20, and 22-33 stand rejected as allegedly being unpatentable over Leone in view of Buzsaki and further in view of Schutzman. These claims depend from at least one of independent claims 1, 8, 15, and 21, and are also allowable for at least the foregoing reasons. Therefore, Applicants respectfully request that these rejections be withdrawn also.

RESPONSE TO PAPER NO. 22
U.S. Application Serial No. 09/100,129
Attorney Docket No. 23452-034

CONCLUSION

Applicants respectfully submit that this application is in condition for allowance and such disposition is earnestly solicited. If the Examiner believes that a telephone conference or interview would advance prosecution of this application in any manner, the undersigned stands ready to conduct such a conference at the convenience of the Examiner.

It is believed that no other fees are due in connection with filing this Response. In the event that it is determined that fees are due, however, the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0311.

Respectfully submitted,

Mintz Levin Cohn Ferris Glovsky and Popeo, PC

Dated: December 3, 2001

By: Raphael A. Valencia
Raphael A. Valencia
Registration No. 43,216

11911 Freedom Drive, Suite 400
Reston, VA 20190
Telephone (703) 464-4800
Facsimile (703) 464-4895